

MINUTES OF THE
NEBRASKA NATURAL RESOURCES COMMISSION MEETING
AUGUST 7, 1997

Those in attendance were:

Roy Stewart, Chair	Wayne Davis, Member
Frank Bartak, Member	Vince Kramper, Member
Beverly Donaldson, Member	Don Larson, Member
Glen Kroese, Member	Richard Jiskra, Member
Joe Hergott, Member	Don Roberts, Member
Wilbur Nelson, Member	Mike Shaughnessy, Member
LeRoy Pieper, Member	Harold Klaege
Arlin Petermann	Ron Fleecs
Paul Rohrbaugh	Diana Allen
Dayle Williamson, Director	Jim Cook, Staff
Terry Kubicek, Staff	Tom Pesek, Staff
Gayle Starr, Staff	

CALL TO ORDER

The meeting was called to order in Lower Level Conference Room E of the Nebraska State Office Building in Lincoln, Nebraska by Commission Chair Roy Stewart at approximately 10:00 a.m.

NOTICE OF THE MEETING

Notice of the meeting was placed in the LINCOLN JOURNAL STAR on July 30, 1997, notifying the public of the meeting.

INFORMATIONAL MATERIAL

The following items of informational material were distributed during the course of the meeting and a copy of each is attached to the file copy of the minutes.

1. Minutes of the Program Committee Meeting.
2. Soil and Water Conservation Fund Report.
3. Natural Resources Enhancement Fund Receipts and Distribution.
4. Water Well Decommissioning Fund Allocations.
5. Status of Small Watersheds Flood Control Fund.
6. Explanation of Lower Platte River Corridor Alliance.
7. NRCS Report to the NRC and NARD.
8. Copy of memo from Papio-Missouri River NRD on PL 566 Site D-17 Agreement with Maurice M. Udes.

MINUTES

Motion was made by Kramper and seconded by Jiskra to approve the minutes of the June 12, 1997, Commission meeting as distributed. Motion carried.

Aye: Shaughnessy, Kroese, Larson, Roberts, Hergott, Jiskra, Nelson,
Davis, Donaldson, Pieper, Bartak, Kramper, Stewart

Nay: None

Not Present: Watermeier, Mercer, Welsh

EXPENDITURES

Motion was made by Robertson and seconded by Nelson to approve the expenditure report for June, 1997, as distributed. Motion carried.

Aye: Kroese, Larson, Roberts, Hergott, Jiskra, Nelson, Davis,
Donaldson, Pieper, Bartak, Kramper, Shaughnessy, Stewart

Nay: None

Not Present: Watermeier, Mercer, Welsh

DIRECTOR'S REPORT

Dayle Williamson distributed his director's report and briefly commented on personnel changes, the Niobrara Scenic River, the NACD Water Resources Committee, and a meeting held in the Capitol Building on July 16 regarding confined swine operations in several locations in central Nebraska. He also noted that the Governor's Climate Assessment Response Committee had met regarding drought conditions in areas of the state and distributed a brief drought report relating to state activities.

ADVISOR'S COMMENTS

Harold Klaege, representing the Natural Resources Conservation Service, distributed a report and commented about the CRP, EQIP budget and administrative convergence activities with the Farm Services Agency and the Rural Development Agency.

ENVIRONMENTAL TRUST

Vince Kramper noted that the Environmental Trust Board would be meeting onday in Nebraska City. He added that the board would have more funds available for awards than in previous years because of the additional percentage of proceeds from the lottery now being received.

LOWER PLATTE RIVER CORRIDOR ALLIANCE

Dayle Williamson introduced Diana Allen from the Lower Platte River Corridor Alliance, who provided a presentation on the Alliance.

FLOODPLAIN MITIGATION

Dayle Williamson briefed the Commission on the Floodplain Mitigation Program and the application recently submitted by the Commission for federal funding for that program.

LB 1085

Vince Kramper reviewed the changes included in the LB 1085 report as a result of the Commission's review of that report at the June meeting. There was some discussion as to how the recommendation regarding the fertilizer fee ought to be presented and the possibility of suggesting a maximum board size of less than the current 21 limit. Motion was made by Kramper and seconded by Davis to approve the LB 1085 first report with the changes as distributed with the explanation paper. Motion carried.

Aye: Larson, Roberts, Hergott, Jiskra, Nelson, Davis, Donaldson, Pieper,
Bartak, Kramper, Shaughnessy, Kroese, Stewart

Nay: None

Not Present: Watermeier, Mercer, Welsh

Kramper noted that the committee would begin work on the second LB 1085 report and would be arranging a meeting in connection with the September NARD Annual Conference.

COMPREHENSIVE PLANNING

Steve Gaul explained that the staff has been working with the Bureau of

Reclamation on the rural water supply study and that a public advisory group meeting is being set up for later this fall.

Gaul explained that the Commission members had been provided with a copy of the planning and review process annual report required to be submitted by September 15 of each year. He briefly reviewed the report and noted that it contained less budget detail than in previous years. He also noted the shift in planning emphasis from planning studies to computer related activities. Motion was made by Roberts and seconded by Kramper to approve the annual report as submitted. Motion carried

Aye: Roberts, Hergott, Jiskra, Nelson, Davis, Donaldson, Pieper, Bartak, Kramper, Shaughnessy, Kroese, Larson, Stewart

Nay: None

Not Present: Watermeier, Mercer, Welsh

PROGRAM COMMITTEE

Richard Jiskra noted that he had chaired the Program Committee meeting in the absence of Dale Watermeier. He added that Tom Pesek had reviewed the Resources Development Fund financial status report with the committee. He briefly noted that the South Platte NRD has requested Commission authorization to enter into an off-site oil and gas lease on property involved with the Oliver Reservoir Resources Development Fund Project. Motion was made by Jiskra and seconded by Bartak to authorize the South Platte NRD to enter into an off-site oil and gas lease at Oliver Reservoir. Motion carried.

Aye: Hergott, Jiskra, Nelson, Davis, Donaldson, Pieper, Bartak, Kramper, Shaughnessy, Kroese, Larson, Roberts, Stewart

Nay: None

Not Present: Watermeier, Mercer, Welsh

Jiskra explained that the Committee had reviewed Resources Development Fund policy statements including some changes suggested by Tom Pesek and some additional changes suggested by committee members. He added that the Committee had taken action to adopt the changes suggested and to have those changes considered at the September Commission meeting.

Jiskra explained that Marlin Petermann and Tom Pesek had reviewed the change in the land rights of Papio Site D-17 that the Commission approved at the last meeting. He added that an error had been made in the calculation of the acreage and the dollar amount and that the executive committee had met by telephone conference call to approve that change and the Commission now needs to ratify that change. Motion was made by Jiskra and seconded by Roberts to ratify the Executive Committee's action on July 2, 1997, to increase the acreage of the Udes (formerly Logeman) fee title tract at Papio D-17 from 28.81 acres to 33.25 acres and the amount of financial assistance from \$187,265 to \$216,125. Motion carried.

Aye: Jiskra, Nelson, Davis, Donaldson, Pieper, Bartak, Kramper, Shaughnessy, Kroese, Larson, Roberts, Hergott, Stewart

Nay: None

Not Present: Watermeier, Mercer, Welsh

^M

Jiskra added that Paul Rohrbaugh had reviewed the Nemaha NRD's request for approval of an easement appraisal at the Upper Little Nemaha Site 59 for funding from the Small Watershed Flood Control fund. Motion was made by Jiskra and seconded by Larson to approve the appraisal of damages on the Royal property (35.8 acres) at Upper Little Nemaha Site 59 and commit

\$10,136 (50% of \$20,272) for easement. Motion carried.

Aye: Nelson, Davis, Donaldson, Pieper, Bartak, Kramper, Shaughnessy,
Kroese, Larson, Roberts, Hergott, Jiskra, Stewart

Nay: None

Not Present: Watermeier, Mercer, Welsh

1998 COMMISSION TOUR

Richard Jiskra stated that the Lower Big Blue NRD would like to invite the Commission to have a meeting at Beatrice in August of next year and to tour some of the completed watershed projects and other facilities in the NRD. It was agreed that the invitation should be accepted and that the staff should work with the NRD in preparing the 1998 Commission meeting schedule to work out a date for the tour and Commission meeting.

REPUBLICAN AND PLATTE RIVER BASIN ACTIVITIES

Staff Legal Counsel, Jim Cook, reported that it appeared as though the Nebraska - Kansas, Republican River basin issues would likely result in litigation by Kansas, perhaps as early as this fall. He added that the Republican River basin NRDs are proceeding with studies by the USGS and Conservation Survey Division to be funded by a grant from the Environmental Trust. He added that an advisory committee of about 25 individuals is being formed to provide the state with public input.

Cook reported that the Platte River Memorandum of Agreement has been signed and that it will require some state funding and some specific actions on the part of Nebraska water interests.

He also added that some minor issues in the Nebraska versus Wyoming situation have been resolved but major issues remain to be resolved and will likely go to court in the fall of 1998.

NEXT MEETING

The next meeting of the Commission will be the afternoon of September 23, at the NPPD headquarters in Columbus following the NARD Annual Conference.

ADJOURNMENT

The meeting was adjourned at approximately 12:10 p.m.

Chairman

Director of Natural Resources